

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII

901 NORTH FIFTH STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

In the Matter of)	
)	
Grandview Products Company, Inc.)	Docket No. CAA-07-2003-0038
Parsons, Kansas)	
Respondent.)	

CONSENT AGREEMENT AND FINAL ORDER

This proceeding for the assessment of a civil penalty was initiated on December 11, 2002, pursuant to Section 113(d) of the Clean Air Act, 42 U.S.C. § 7413(d), when the United States Environmental Protection Agency (EPA or Complainant) issued to Grandview Products Company, Inc. Parsons, Kansas (Respondent) a Complaint and Notice of Opportunity for Hearing.

The Complaint charges Respondent with violations of Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and specifically the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Wood Furniture Manufacturing Operations, 40 C.F.R. Part 63, Subpart JJ. The Complaint proposes a One Hundred Five Thousand Three Hundred Twenty-Five Dollars (\$105,325) for these violations.

EPA and Respondent entered into negotiations in an attempt to settle the allegations contained in the Complaint; this Consent Agreement and Final Order are the result of such negotiations.

CONSENT AGREEMENT

1. For purposes of this proceeding, Respondent admits the jurisdictional allegations of the Complaint and neither admits nor denies the factual allegations of the Complaint.
2. Respondent certifies by the signing of this Consent Agreement and Final Order that to the best of its knowledge, Respondent's facility is presently in compliance with all requirements of Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and 40 C.F.R. Part 63, Subpart JJ.
3. Respondent waives its right to a judicial or administrative hearing on any issue of fact or law set forth in the Complaint.
4. Respondent and EPA agree to conciliate this matter without the necessity of a formal hearing and to bear their respective costs and attorney's fees.
5. Respondent consents to the issuance of the Final Order and consents to the payment of the civil penalty as set forth below.
6. Respondent understands that failure to pay any portion of the civil penalty assessed herein in accordance with the provisions of this Order may result in commencement of a civil action in Federal District Court to recover the total penalty proposed in the Complaint, together with interest thereon at the applicable statutory rate.

FINAL ORDER

Pursuant to the provisions of the Clean Air Act, 42 U.S.C. § 7401, and based upon the information set forth in this Consent Agreement, IT IS HEREBY ORDERED THAT:

1. Respondent shall pay a mitigated civil penalty of Fifty Two Thousand Six Hundred Sixty-three Dollars (\$52,663) within thirty days of entry of this Final Order. Payment shall be by cashier's or certified check, made payable to the "United States Treasury" and remitted to:

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EPA-Region VII
c/o Mellon Bank
P.O. Box 360748M
Pittsburgh, Pennsylvania 15251.

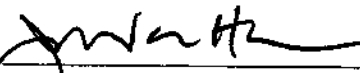
2. A copy of the check should be sent to:

Julie M. Van Horn
EPA-Region VII
Office of Regional Counsel
901 North Fifth Street
Kansas City, Kansas 66101.

3. Respondent and Complainant shall bear their own costs and attorneys' fees incurred as a result of this matter.

4. This Consent Agreement and Final Order constitutes a settlement by EPA of all civil claims for penalties alleged in the Complaint for violations of the National Emission Standards for Hazardous Air Pollutants, and specifically the National Emission Standards for Wood Furniture Manufacturing Operations, 40 C.F.R. Part 63, Subpart JJ, promulgated pursuant to Section 112 of the Clean Air Act, 42 U.S.C. § 7651, and the regulations promulgated thereunder. Respondent's performance of its obligations under this Consent Agreement and Final Order shall resolve the civil claims alleged in the Complaint filed in this action.

COMPLAINANT:
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY

By 
Julie M. Van Horn
Senior Assistant Regional Counsel

Date 13 June 2003

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RESPONDENT:
GRANDVIEW PRODUCTS COMPANY, INC.
PARSONS, KANSAS

By *Carol Curran*

Title *Corp Secretary*

Date *5/21/03*

IT IS SO ORDERED. This Final Order shall become effective
immediately.

Karina Borromeo
Karina Borromeo
Regional Judicial Officer

Date *June 16, 2003*

IN THE MATTER OF Grandview Products Company, Inc., Respondent
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CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order was sent this day in the following manner to the addressees:


Copy hand delivered to
Attorney for Complainant:

Julie M. Van Horn
Senior Assistant Regional Counsel
Region VII
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Copy by Certified Mail Return Receipt to:

Michael P. Comodeca
Spencer Fane Britt & Browne LLP
1000 Walnut, Suite 1400
Kansas City, Missouri 64106-2140

Dated: 6/16/03


Kathy Robinson
Regional Hearing Clerk